

Remarks

Claims 1-27, and 38-53 are pending in the application. Claims 25, 26, and 28-37 have been canceled. Claims 1, 7, 11, 12, 14, 15, 20, and 27 have been amended. New claims 38-53 have been added. No new matter has been added by virtue of this amendment. Reconsideration of the application as amended is requested.

Election/restrictions

Applicant has canceled claims 29-37 that were withdrawn by the Examiner as a result of a restriction and election.

Claim Rejections--35 U.S.C. § 103(a)

The Examiner rejects claims 1-6, 17-19, 25, 26 and 27 under 35 U.S.C. § 103(a), as being unpatentable over Herbst. Applicant has amended claim 1 to include additional limits not taught or suggested by Herbst. Claim 1, as amended, states:

1. A filing system for holding a planar object, comprising a hanging file folder and a removable protective envelope, wherein said hanging file folder has a hanging file folder dimension, said removable protective envelope has a removable protective envelope dimension, and the planar object has a planar object dimension, wherein said hanging file folder has open sides and two permanently fixed hangers, wherein said hangers each have midpoints, wherein said midpoints are separated by a fixed hanger separation length, wherein said removable protective envelope is sized for holding the planar object and wherein said protective envelope dimension about matches said planar object dimension, wherein said hanging file folder is sized for holding said removable protective envelope and wherein said hanging folder dimension about matches said removable protective envelope dimension.

Applicant would note that under the discussion of claims 7-16 the Examiner has acknowledged that Herbst does not teach or suggest a hanging file folder with a protective envelope. Thus, the rejection of claim 1-6, and 17-19 as being unpatentable over Herbst, under 35 U.S.C. § 103(a), has been traversed.

The Examiner rejects claims 7-16 under 35 U.S.C. § 103(a), as being unpatentable over Herbst as applied to the claims above, and further in view of Struhl. The Examiner states that "Struhl teaches it is well known in the filing art to provide hanging file folders with a protective envelope 18 in order to provide magnetically stored information along with the file folder."

However, applicant would respectfully ask the Examiner to consider that Struhl does not teach or suggest a **removable** protective envelope, as provided in claim 1, as amended. Protective envelope 18 of Struhl is attached to and fixed in position on file folder 2.

Struhl states that "storage pocket 18 is attached to the **front surface 4f** of the first panel 4." Strohl wants storage pocket 18 on the front surface, leaving the interior of the file folder for papers 16. If storage pocket 18 were not non-removably attached to that front surface it would just fall down outside the file folder. Thus, Strohl teaches against allowing protective envelope 18 to be removable.

While the fixed protective envelope of Strohl appears to be sized for holding the diskette and has a dimension that about matches a dimension of the diskette, the file folder of Strohl has a dimension that does not about match a dimension of the removable protective envelope. Both dimensions of the file folder of Strohl are much larger than the dimensions of the protective envelope.

Also the file folder of Strohl is not a hanging file folder.

Also, the file folder of Strohl is not sized for **holding** said removable protective envelope; Strohl's folder does not hold the protective envelope. The protective envelope is attached to its front surface.

Also, in combining ideas from the references, hindsight from the present invention and further invention would be needed to disregard the non-hanging file idea of Strohl, retain the hanging file idea of Herbst, and to include and further modify the envelope idea of Strohl. Thus, the rejection of claims 7-16 under 35 U.S.C. § 103(a), has been traversed.

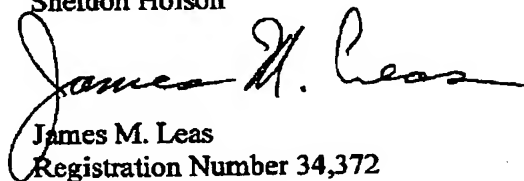
Also, applicant would respectfully ask the Examiner to consider that it was applicant who was first to provide a combination of hanging file folder and protective envelope matched in size to each other and to an object, with the object located inside the protective envelope which is located inside the hanging file folder, and all three having less than half the length of a standard letter hanging file folder. Applicant was first to consider, for example, that more than one row of such a combination could be provided in the space of a single row of standard hanging file folders. Applicant was also first to consider that one row of such a nested combination could be provided in a small box having dimensions about matching those of the small hanging file folders.

Allowable Subject Matter

Applicant thanks the Examiner for the allowance of claims 20-24 and 28 which

were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form. Claim 1 has been amended to distinguish from the references cited by the Examiner, so all claims dependent on claim 1 should now be allowable. The limits of claim 28 have been added to claim 27, making claim 27 now allowable.

Respectfully submitted,
For: Sheldon Holson

By: 
James M. Leas
Registration Number 34,372
Tel: (802) 864-1575

James M. Leas
37 Butler Drive
S. Burlington, Vermont 05403